

EXHIBIT A

TO

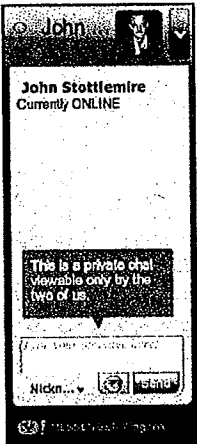
**DECLARATION OF NEIL A. GOTEINER IN
SUPPORT OF COUPONS' MOTION TO DIRECT
THE PARTIES TO RETURN TO EARLY
NEUTRAL EVALUATION PURSUANT TO ENE
RULE 5-2, AND CIVIL L.R. 7**

Coupons, Inc.
John Stottlemire
 contact me

John A Stottlemire

Phone: (510) 996-1111

BLOG CHAT



Congratulations Jimmy Johnson, Hendrick Motorsports and the entire Lowe's Racing Team

I am looking for a JOB in the TRIAD. Please, let me know if you would like to see my resume.

Coupons, Inc. dismisses with prejudice

Posted At : November 19, 2008 2:41 PM | Posted By : John Stottlemire
 Related Categories: Coupons, Inc v. Stottlemire

As long as Coupons, Inc. complies with the confidential settlement agreement, the action against me will be dismissed with prejudice. Dismissal with prejudice means that Coupons, Inc. will be unable to file this action again.

The letter Coupons, Inc. sent the Court to confirm the above can be viewed here: [Link \(PDF\)](#)

Comments (2) | [Send](#) | [del.icio.us](#) | [Digg It!](#) | [Linking Blogs](#) | 130 Views

Comments (Comment Moderation is enabled. Your comment will not appear until approved.)

[\[Add Comment\]](#)

Good job John, strike one for the good guys! Thanks for taking this to the floor!

Posted By Kent | 11/21/08 10:54 AM

Congrats John! Great job!

Posted By Barry | 11/21/08 5:32 PM

[\[Add Comment\]](#)

RECENT ENTRIES

[Coupons, Inc. dismisses with prejudice](#)

[Order on Motion to Dismiss](#)

[Reply to Opposition](#)

[Opposition to Motions](#)

[Motion To Dismiss Third Amended Complaint](#)

NAVIGATION

[Home](#)
[About Me](#)
[Recent Came From](#)
[Recent Pages Viewed](#)

ARCHIVES BY SUBJECT

[Coupons, Inc \(9\) \[RSS\]](#)
[Coupons, Inc v. Stottlemire \(47\) \[RSS\]](#)
[Coupons, Inc., The DMCA and Me \(2\) \[RSS\]](#)
[Uninstalling Coupon Printer \(2\) \[RSS\]](#)

CALENDAR

<< November 2008 >>

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

LINKS

John's Blog

My Favorite Charities

The Jeff Gordon Foundation
The Jimmy Johnson Foundation
The Hendrick Foundation

SEARCH

RSS

RECENT COMMENTS

Coupons, Inc. dismisses with prejudice

Barry said: Congrats John! Great job! [\[More\]](#)

Coupons, Inc. dismisses with prejudice

Kent said: Good job John, strike one for the good guys! Thanks for taking this to the floor! [\[More\]](#)

A request for comments from readers of this blog

Tina said: I think it is obvious that Coupons Inc. has lied. I don't see how the courts would not be able to se... [\[More\]](#)

My Rant Against the EFF

Mike said: I came upon your site while Googling to find information about this coupon "software". I ... [\[More\]](#)

A request for comments from readers of this blog

Brian said: John, Having read the posted description of the claims coupon inc. is making I cant see how som... [\[More\]](#)

All material on the www.tenbucks.net site is protected by U.S. and international copyrights. Personal use of material is permitted for research and/or information purpose only. No part of any material posted on www.tenbucks.net may be copied, modified, downloaded, or redistributed for any other purpose without the expressed written permission of John A Stottlemire.

©2007 - 2008 John A Stottlemire



FARELLA BRAUN + MARTEL LLP

Attorneys At Law

Russ Building / 235 Montgomery Street
San Francisco / CA 94104

T 415.954.4400 / F 415.954.4480
www.fbm.com

CARLY O. ALAMEDA
calameda@fbm.com
D 415.954.4981

November 14, 2008

Via E-file

Honorable Howard R. Lloyd
Northern District of California
280 South First Street
San Jose, CA 95113

Re: *Coupons, Inc. v. Stottlemire*; Case No. 5:07-cv-03457
Memorandum of Settlement

Dear Judge Lloyd:

I wanted to inform you that the parties participated in a successful Early Neutral Evaluation session yesterday with Harold McElhinny. Coupons and Mr. Stottlemire have signed a Memorandum of Settlement. The parties plan to execute a more detailed settlement agreement shortly. Thank you.

Very truly yours,

A handwritten signature in cursive script, appearing to read 'C O Alameda'.

Carly O. Alameda

cc: John Stottlemire (via e-file and U.S. Mail)

22675\1765539.1

EXHIBIT B

TO

**DECLARATION OF NEIL A. GOTEINER IN
SUPPORT OF COUPONS' MOTION TO DIRECT
THE PARTIES TO RETURN TO EARLY
NEUTRAL EVALUATION PURSUANT TO ENE
RULE 5-2, AND CIVIL L.R. 7**

Harvard Journal of Law & Technology

An online companion to the Harvard Journal of Law & Technology

About Digest

Latest Posts

- [London-Sire Records v. Does 1-4](#)
- [Coupons, Inc. v. Stottlemire](#)
- [FTC v. CyberSpy Software](#)
- [United States v. Drew](#)
- [Unlawful Internet Gambling Enforcement Act](#)
- [Winter v. Natural Resources Defense Council, Inc.](#)
- [Update: Warner Bros. v. RDR Books](#)
- [E.S.S. Entm't 2000, Inc., v. Rock Star Videos, Inc.](#)
- [Introducing: Digest Comments](#)
- [Digest Comment - The Great Firewall Down Under](#)

Posts by Topic

- [10th Circuit Decisions](#)
- [11th Circuit Decisions](#)
- [1st Circuit Decisions](#)
- [2nd Circuit Decisions](#)
- [3rd Circuit Decisions](#)
- [5th Circuit Decisions](#)
- [6th Circuit Decisions](#)
- [7th Circuit Decisions](#)
- [8th Circuit Decisions](#)
- [9th Circuit Decisions](#)
- [Agency Rulemaking](#)
- [Bioethics](#)
- [Communications Decency Act](#)
- [Computer Fraud and Abuse Act](#)
- [Copyright](#)
 - [Digital Millennium Copyright Act](#)
 - [Fair Use](#)
- [Digest Comment](#)
- [District Courts](#)
- [Electronic Communications Privacy Act](#)
 - [Stored Communications Act](#)
- [Employment](#)
- [Entertainment](#)
- [Environment](#)
- [Federal Circuit Decisions](#)
- [Federal Communications Commission](#)
- [First Amendment](#)
- [Flash Digest](#)
- [FOIA](#)
- [Fourth Amendment](#)
- [Hacking](#)
- [International Decisions](#)
- [International Regulation](#)
- [Internet](#)
- [Legislation](#)
- [Patent](#)
- [Peer-to-Peer](#)
- [Privacy](#)
- [Software](#)
 - [Software Licenses](#)

- [Spam](#)
- [Sports Law](#)
- [State Courts](#)
- [Supreme Court](#)
- [Telecommunications](#)
 - [Broadcast](#)
- [Trademark](#)
- [Uncategorized](#)

Search

Archives

- [November 2008](#)
- [October 2008](#)
- [September 2008](#)
- [August 2008](#)
- [July 2008](#)
- [June 2008](#)
- [May 2008](#)
- [March 2008](#)
- [February 2008](#)
- [January 2008](#)
- [December 2007](#)
- [November 2007](#)
- [September 2007](#)
- [August 2007](#)
- [July 2007](#)

Login

Posted on Friday, November 28, 2008 at 3:56 pm by [Christina Hayes](#)

Coupons, Inc. v. Stottlemire

Alleged "Coupon Hacker" and Coupons, Inc. Settle DMCA Suit [UPDATED]

By Chris Kulawik — Edited by Jon Choate

Coupons, Inc. v. Stottlemire
N.D. Cal., No. CV 07-03457 HRL
[Court Documents](#) (hosted by [Justia](#))

Last week, Coupons, Inc. ("Coupons"), settled its DMCA suit against John Stottlemire, who had defended himself *pro se*. The parties have not fully disclosed the details of the settlement, but Stottlemire indicates that the case was dismissed with prejudice. The agreement follows a year's worth of litigation in the United States District Court for the Northern District of California.

Note:

Since the writing of this post, Coupons, claiming that Stottlemire breached material terms of the parties' settlement agreement, has resumed litigation. Stottlemire, in a motion filed with the court, claims that Coupons is mistaken in its belief that he has breached the confidentiality term of the settlement.

In July, 2007, Coupons filed suit against Stottlemire alleging in its complaint that his online posting constituted a violation of the anti-circumvention provisions of the Digital Millennium Copyright Act ("DMCA"), 17 U.S.C. §1201, and related California state laws. The posting had detailed a "hack" that allowed Coupons patrons to avoid imposed maximums and print multiple coupons with unique and functioning serial codes. Coupons claimed that the dissemination of the hack effectively "offered to the public" a technology "primarily designed for the purpose of circumventing technological measures that effectively control access to Plaintiff's works."

Stottlemire denied the allegation and sought to dismiss on the grounds that his posting did not qualify as the "hacking" or circumvention of certain protection made illegal under the DMCA. He argued instead that this technique merely exploited Coupons's faulty and limited software. Ars Technica reports Stottlemire as stating, "There are big problems when you are not allowed to delete files off of your computer."

The Electronic Frontier Foundation ("EFF"), which joined the Berkeley School of Law's Samuelson Law, Technology and Policy Clinic in filing an amicus brief in support of Stottlemire, discussed its position on the legal issues in the case on its blog after the Court dismissed

several of Coupons's claims in July:

Coupons claimed that Stottlemire's tool circumvents technological measures that limit *use* of its coupons (a "rights-control" claim), but also tried to allege that the tool circumvents measures that limit *access* to those coupons (an "access-control" claim). The problem is that the tool doesn't have anything to do with access $\frac{3}{4}$ anyone can *access* the coupons whether they use the original software or the modified software.

This isn't just an academic issue. While the DMCA prohibits the distribution of tools that circumvent rights *or* access controls, it prohibits actual circumvention (e.g., through use of such tools) only in the case of access controls. This is because controlling *use* of copyrighted material is already addressed by copyright law, and addressing it again in the DMCA would upset the careful balance between the rights of copyright owners and those of the public.

Speaking to [Wired](#), Stottlemire celebrated the settlement:

Without being represented by an attorney, I defended myself in federal court against a company who solicited the services of two separate law firms. And in my opinion, I kicked their ass. By refusing to succumb to their bullying tactics, I continued to assert my innocence and fought the claims Coupons Inc. filed against me.

RELATED ENTRIES: [Copyright](#), [Digital Millennium Copyright Act](#), [District Courts](#)

 [Email This Post](#)

[Harvard Journal of Law & Technology](#) Powered by [WordPress](#)

»

SEARCH BLOG

FLAG BLOG

Next Blog»

Create Blog | Sign In

Search

Google™ Custom Search

Technology

Free Coupon Downloads

Download Promise SuperShots Coupons Now. Your Heart Will Thank You!

www.PromiseHealthyHeart.com

Online Coupon Codes

Save now @ 3200+ Brand Name Stores Over 20000

Codes: [CouponAlbum](http://CouponAlbum.com)

www.CouponAlbum.com

Free Grocery Coupons

Free Coupons for 1,000s top brands! Save money free printable coupons.

www.ShopAtHome.com

Grocery Coupons for Free

Would you like to get 3 months of grocery coupons for free?

www.ThePollMaster.com



Sunday, November 23, 2008

Coupon Hacker Defeats DMCA Suit

By David Kravets

A California online coupon generating company is dropping its Digital Millennium Copyright Act lawsuit against a man sued for posting commands allowing users to print an unlimited number of valid coupons.



John Stottlemire was sued last year after posting the commands

<http://max-technology.blogspot.com/2008/11/coupon-hacker-defeats-dmca-suit.html>

Blog Archive

▼ 2008 (811)

▼ November (71)

Teenagers learn important social technical skills...

10 Must Have Tools for Communicating with Clients

Is white listing going mainstream

[Coupon Hacker Defeats DMCA Si](#)

Obama's cell phone records brea

[Kernel vulnerability found in Vist](#)

[Microsoft Yanks Fake Security Software](#)

Microsoft modifies Zune subscrip model

IE8 slips into 2009 - good or bad news?

Editor's Note: Linux Should Copy Amiga

SimplyMEPIS: The best desktop Linux you haven't tr...

Facebook Etiquette: Five Dos and Don'ts

[How to Make the Best Torrents](#)

Google Powered BitTorrent Seacl Engines

Verizon Wireless bets on Storm f holiday season

SnapTell: Instant Product Looku From The iPhone. ...

Samsung Starts Mass Production 256GB SSDs

In a fit of irony, iPhone pirating gets pirate...

Apple Pins Its Hopes on Gaming Mac OS X Snow Leopard (10.6) I in Q1 2009

Chinese pirates crack Blu-ray DR sell pirated HD...

11/26/2008

to his [tenbucks.net](#) and other websites. He was accused of posting code and instructions allowing shoppers to circumvent copy protection on downloadable, printable coupons from Colgate, General Foods and others for everything from cereal to soap.

Mountain View, Calif.-based [Coupons Inc.](#) argued Stottlemire was no different from cracks like "DVD Jon" Johansen's program, DeCSS, which allowed the duplication of encrypted DVDs.

"Without being represented by an attorney, I defended myself in federal court against a company who solicited the services of two separate law firms," Stottlemire said. "And in my opinion, I kicked their ass. By refusing to succumb to their bullying tactics, I continued to assert my innocence and fought the claims [Coupons Inc.](#) filed against me. "

The 43-year-old Fremont, Calif., man insisted he did not circumvent any technology and instead found a weakness in [Coupons Inc.](#)'s software. Removing the key to the software's program limiting coupon production allowed users to acquire an unlimited number of coupons with unique, functioning serial codes.

[Coupons Inc.](#) declined comment. Terms of the dismissal were not made public. They do not require Stottlemire to remove the workaround, which is still published [here](#).

Despite the settlement, the legal question at issue remains unsettled – whether Stottlemire's actions were unlawful under the [DMCA](#). The 10-year-old law prohibits circumventing technology to work around measures to prevent the duplication of what [Coupons Inc.](#) claimed were copyrighted materials.

The question may be a moot point, at least for now. [Coupons Inc.](#) has countered Stottlemire's workaround, which no longer works.

Photo: [JasonJT's Photostream](#)

[Original here](#)

Posted by Max at [6:06 AM](#)

0 comments:

[Internet Explorer 8 Beta 2: Preview and Screenshot...](#)

[iPhone applications for the Linux Ad watchdog slaps cellphone, popcorn vid maker on ...](#)

[Escape Clock Lets You Escape Your Wake-Up Call](#)

[TiVo Delivers Domino's](#)

[New MacBooks Have HDCP, Give iTunes Purchases Less...](#)

[Developer strikes it rich with iPhone game](#)

[New Visa Card Features Keypad, Generates Random Se...](#)

[Bug Labs creates open source Linux for software eng...](#)

[Expect Obama to move fast on F transformation](#)

[Hacker Takes Over Torrentz, Sorts Of...](#)

[EXCLUSIVE: Cyber-Hackers Breached Into IMF Computer System...](#)

[Top 5 Favorite Bookmarklets](#)

[Colombia tests OLPC laptops... running Windows XP](#)

[Take this Linux: Windows Boot Sequence Visualized](#)

[The Pirate Bay Sees Traffic and Fights Surge](#)

[Toyota Claims Ownership of Fan Wallpapers](#)

[USB 3.0 to Deliver a Tenfold Speed Increase](#)

[RED's Digital Still and Motion Camera System now on sale...](#)

[iPods rock the Space Shuttle](#)

[Google's voice search: Why on iPhone, not Android?...](#)

[Wannabe Bond Villains' Last Line Defense](#)

[Inside Windows 7's new desktop TimeVault simplifies data backup for Ubuntu users](#)

[Internetting every thing, everywhere all the time...](#)

[Outrage over 'chastity belt' lingerie fitted with ...](#)

[How Much Ink Is Left in That Desktop Cartridge?](#)

[40 Beautiful Free Icon Sets](#)

[Report: Apple's Jobs Gives iPhone Customers What They Want...](#)

[New iPhone App Measures Your Carbon Environmental Impact...](#)

[Post a Comment](#)

[Newer Post](#)

[Home](#)

[Older Post](#)

Subscribe to: [Post Comments \(Atom\)](#)

[Hacking Google: Turning a Search Engine into an MP...](#)

[Windows 7: Microsoft's Linux kill ISP Disconnects Customers with Open WiFi](#)

[MakeUseOf.com : Hacked or Dora Expired?](#)

[High-definition TV in three dimensions – and no gl...](#)

[Intel's New Green Processor Offers \\$2 Billion In E...](#)

[Samsung's T*Omnia: all that and double the i900 Om...](#)

[Espionage Brings "Tricksy" Folder Encryption to OS...](#)

[The Pirate Bay Tops 20 Million Pe Google turns on OCR for scanned PDFs](#)

[Twitterers Stage Mock Martian Invasion a la 'War o...](#)

[Sixteen Great Twitter Moments](#)

[London's new bomb-proof trash will survive th...](#)

[Elgan: Why netbooks will soon cost \\$99](#)

[7 Top Tips and Resources for Google Chrome](#)

[Futurama's Anti-Piracy Message, Do It](#)

[Double the viewers, double the T Microsoft parks "I'm a PC" record booth outside...](#)

[Apple fanboys vs. Microsofties: A scientist's verdict...](#)

[FireWire-to-USB: MacBook Redeemer?](#)

► [October \(185\)](#)

► [September \(238\)](#)

► [August \(238\)](#)

► [July \(79\)](#)

Useful

[Forum posting service](#)

Free Grocery Coupons

Free Coupons for 1,000s top brands!

Save money free printable coupons.

www.ShopAtHome.com

Free Grocery Coupons

Hundreds of Free Coupons from Top

Brands U Love. Start Saving \$ Now!

www.EverSave.com



ars technica
the art of technology



Colocation and
network services
provided by
ServerCentral



In-depth Intel whitepapers



Search

GO

Coupons, Inc. drops DMCA lawsuit against coupon hacker

By [Jacqui Cheng](#) | Published: November 21, 2008 - 11:45AM CT

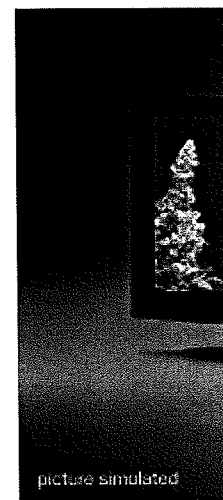
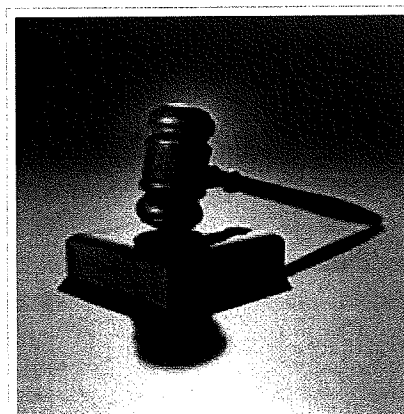
A copyright lawsuit against a man who posted instructions on how to print unlimited copies of coupons has been dropped. The defendant, John Stottlemire, posted to his [website](#) this week that he had reached a settlement with Coupons, Inc. after a year-long legal battle over the digital coupons, and that Coupons would not be able to file another similar action against him.

In late 2007, Stottlemire [posted instructions](#) to [tenbucks.net](#) detailing how to perform a number of registry key modifications under Windows that would allow users to print unlimited online coupons offered by [couponsinc.com](#). Without the "hack," users are technologically limited to printing only one coupon apiece.

Coupons, Inc. was unimpressed by Stottlemire's postings and filed a lawsuit against him, alleging that he violated the Digital Millennium Copyright Act by instructing users on how to circumvent the company's copy-protection scheme. Coupons even went so far as to compare Stottlemire to the infamous [DVD Jon](#) and his never-ending [DRM-cracking](#) efforts.

Stottlemire argued, however, that there was no hacking to be had, and that he only found a weakness in Coupons' own software. "I honestly think there are big problems when you are not allowed to delete files off of your computer," he said at the time. Because of this, Stottlemire argued (without a lawyer, no less) that he did not violate the DMCA and moved to have the claims dismissed. The Electronic Frontier Foundation also filed an *amicus brief* in support of Stottlemire's motion to dismiss, arguing that Coupons' technology didn't protect access to the files in question, and therefore Stottlemire did not circumvent anything.

A number of back-and-forths and a year later, Coupons apparently felt like it was getting nowhere with the case and came to a settlement with Stottlemire. As usual, the terms are largely confidential, although Stottlemire wrote on his site that the claims will be dismissed with prejudice, meaning that the company cannot bring further action against him.



Warhammer contributi

The *Warhammer Online* as some have alleged i way that player contrit Quest raids.

+ READ MORE

Senior SW System
StackSafe, Inc.
Vienna VA

Mid to Senior Leve
New York, NY

Sr. Software Progr
NETWORKS
New York, NY

Web Application D
East Lansing, MI

System Administra

Stottlemire is pretty proud of his success, too. "Without being represented by an attorney, I defended myself in federal court against a company who solicited the services of two separate law firms," he told *Wired*. "And in my opinion, I kicked their ass. By refusing to succumb to their bullying tactics, I continued to assert my innocence and fought the claims Coupons Inc. filed against me."

Further reading:

- If you have PACER access, search for case number 5:07-cv-03457-HRL

[+ DIGG THIS 8 DIGGS](#)
[DISCUSS](#)
[PRINT](#)

Filed under: [Coupons](#), [copyright](#), [DMCA](#), [hack](#), [more...](#)

Inaction on disconnect pleas at root of Aussie ISP lawsuit :Next Post
 Lots to like about new iPhone 2.2 software update (Updated) :Prev Post

AIDS: a good example of why science policy matters

Linux distros compliant with DoD IPv6 policies

Analysts differ on holiday consumer electronics spending

A pipe of one's own? Scholars tout individual investment in fiber.

Symantec: Underground cybercrime economy booming

German National Library causes blogger uproar

Where do all those used computers go?

Mobiles, chip stocks both mugged by global downturn

[+ VIEW MORE](#)

Warhammer contribution system a shill says player base

Felicia Day gives the rules for World of WarCraft romance

Apple fixes SD HDCP issues with QuickTime update

PlayStation Store Update: turkey head edition

Judge: "Substantial risk" Papermaster will reveal info to Apple

I can see clearly now with photoacoustic color vision

GNOME's Empathy IM client gets file transfer support

New Apple 24-inch LED screens are now shipping

[+ VIEW MORE](#)

Culver City, CA

[➤ MORE JOB LISTINGS](#)

The change we need

Co-op resurrected: /

Second wind for mu hopes so

Financial crisis puts

Greenbox: saving pr

Should Microsoft ch
 Microsoft to do a "iF

Dumping iTunes - A
 electrical shock with

Damn Viruses - Tric
 gratefully accepted

Recommend IDE typ

© 2008 CondéNet Inc. All rights reserved.

[About Ars Technica](#) | [Advertise](#) | [Contact Us](#) | [FAQ](#) | [Privacy Policy](#) | [User Agreement](#) | [Reprints](#) | [RSS](#)

Toolbox for IT

Share and compare information with 1.4 million professionals

Join Now

Sign In

Search To

NEW HP COLOR LASERJET
CM3530n MFPReliable multi-function printing
and copyingSTARTING AT
\$2,499

» SHOP NOW

WHAT DO YOU

My Home

People

Vendors

Communities

Ask Question / Find People

Security Community

Search Blogs

Home

Blogs

Groups

Wiki

Documents

Research

Topics

Subscription



Managing Intellectual Property & IT Security

by [Dan Morrill](#) (Program Director CityU of Seattle)[Blog Main](#) / [Archive](#) / [Invite Peers](#) / [Connect to this blog](#)[Previous Entry](#) / [Next Entry](#)

It is lawful to hack software

Dan Morrill (Program Director CityU of Seattle) posted 11/21/2008 | [Comments](#) (1)

Who knew that it was lawful to bypass restrictions on software, like [Coupons Inc's software](#) that allowed printing coupons and essentially start printing coupons off like it was money.

A recent court case makes it [lawful to modify software you download and see how it behaves](#). The good part is that many security engineers do this on a regular basis, and we post our findings on the internet. A recent court case with Coupons Inc and John Stottlemire though could have had serious implications if John had not prevailed in court.

The problem is that John Stottlemire posted a series of instructions on how to modify a computer program that people download to print coupons. His command set on this looks like a simple clean up that anyone would do on a computer system that was not functioning normally, or that someone would do to go clean up an accumulation of stuff.

Coupons Inc got annoyed because the clean up routine allows a customer to print functioning coupons from their PC, without any limits to the number of times valid working coupons can be printed. If you wanted 100 coupons for BrandX, with John's notes, you could simply clean up the install and remove some keys from YOUR computer and carry on smartly with the print job.

By discovering a weakness in how the program worked, and the removal of some files, well that was claimed to be a DMCA violation, which then went to court. ~~The courts~~

About This Blog

Managing Information Security is the issue. How corporations security can manage...more



RSS for Posts

RSS for Comments

Enter your email address to

Your E-mail address

No Spam (Privacy Policy)

[All IT Blogs](#) / [Blogger Login](#)HP LASERJET P4014
Fast and reliable LaserJet

PRINTER INFO

STARTING AT
\$799AFTER \$100
INSTANT SAVINGS
OFFER ENDS 1/31/09

» SHOP NOW



WHAT DO YOU HAVE TO

SHARE YOUR
Start your blog

~~found that no such DMCA violation happened. Please see correction below~~ and while the technique is interesting, it truly amounts to nothing more than someone cleaning up files on their computer to make software work in an unexpected way. Coupons Inc has fixed their issue, and the hack no longer works. But by claiming DMCA circumnavigation, and then losing settling that case, ~~Coupons Inc has lost what could have been an interesting court case.~~

If Coupons had ~~lost~~ had not settled (no judge ruled on this, it was an out of court settlement that the terms are confidential (Updated via phone call with person who wants to remain anonymous 11/22/2008)), then just about any software you download, and then clean up on your PC, which then allows an unexpected behavior of their code, would have been a DMCA violation. It would have made it harder to post hacks like this on the internet, in general it would also have influenced the removal or modification of spyware on someone's computer. In all it is good that John prevailed in this otherwise it could have had far reaching implications for people who are busy trying to remove, learn, or otherwise modify programs that they download.

11/22/2008 - had a phone conversation with an anonymous person who is more familiar with the case than I am on this issue, and cleared up some factual errors.

Tags: spyware, coupons inc, removal, modification, software, interesting

The opinions of this article are the opinions of this writer. They are not the opinions of my employers, nor in any way does this blog, these entries, or any information on this site reflect the opinion of my employers or people associated with me.

Digg

submit

MY ZIMBIO

[Top Stories](#)

You can also follow me on [Friend Feed](#) and see all the stuff I do in a day.

[sitemeter](#)

[Previous Entry](#) / [Next Entry](#)

Related White Papers

Enterprise Business Intelligence: Improving Corporate Performance through Integrated Reporting, Analysis, & Monitoring **P**

Shipping Out Security: Help Protect Business From Costly Downtime and Revenue Loss **P**

Leading Mobile Solutions and Products: A Competitive Analysis **P**

Related Jobs

Sr. Java Software Engineer

Java Software Engineer

Business Systems Analyst (Part Time, 30 hours) Job ID#2425

Categories

Bit Torrent and Peer Netwo
Corrections and Omissions
Hiring finding a job (42) /
Intellectual Property Protec
Media and Web 2.0 (136) .
Video Blog (38)

Popular Entries by Dan

[Dad takes away 11 ye](#)


[Linux hacked more oft](#)


[Your IP address is Pri](#)

[What do hiring manag](#)


[No wonder no one wa](#)


Recent Comments

 "...and if it does not r
Two new hacks to cor

 "Dark - Thanks! I do
Data mine your friend

 " how to hack email p
It is lawful to hack so

 "Needcoffee, interesti
Verizon employees ill

 "can some one help n
Strolling through MyS

[More Recent Comments...](#)

Dan Morrill's Links

[Techwag](#)

[Read Write Web](#)

[Robert Scoble](#)

[Ajaxian](#)

[Dark Reading](#)

[Layer 8](#)

Comments (1)

RSS for Comments



naxim writes:

11/24/2008 #

how to hack email password

You are not logged in. [Sign in](#) to post unmoderated comments or [join the community](#) to create your free profile today!

Name: (Will display on the site)

E-mail: (Not displayed. No Spam)

Lines break automatically. Please preview your message before posting.

If not logged-in your post will not appear until approved by a community moderator. To uphold community standards, comments that are inflammatory, offensive, or contain profanity or advertisements may be removed by the author or a community moderator.

☐ Connect to this blog to be notified of new entries.

Related Blogs

[The Military Botnet Proposal](#)

[Question of the week - is WildTarget actually Spyware?](#)

Related Groups

[How to block Spyware?](#)

[Removing VirusBurst software](#)

Related Wiki Articles

[Security Software](#)

[Linux vs. Windows: Choice vs. Usability](#)

More from this author

[Verizon employees illegally access Obama's phone account](#)

[Hacking VMWare via Google Hacking](#)

[Virus shuts down Chinese military exercise](#)

[What you should look for in a social network community manager](#)

[Search Engine Hacking the Azureus Client](#)

Archive Category: [Hacking](#)

Keyword Tags

spyware, coupons inc, removal, modification

Disclaimer: Blog contents express the viewpoints of their independent authors and are not reviewed for correctness or accuracy by Toolbox for IT. Any opinions, comments, solutions or other commentary expressed by blog authors are not endorsed or recommended by Toolbox for IT or any vendor. If you feel a blog entry is inappropriate, [click here](#) to notify Toolbox for IT.

[Browse all IT Blogs](#)

[About](#) / [Contact us](#) / [Privacy](#) / [Terms of Use](#) / [Work at Toolbox.com](#) / [Advertise with Toolbox for IT](#) / [Provide Feedback](#)

Communities: [Business Intelligence](#) / [C Languages](#) / [CIO](#) / [CRM](#) / [Database](#) / [Data Warehouse](#) / [EAI](#) / [Emerging Technologies](#) / [Knowledge Management](#) / [Networking](#) / [Project Management](#) / [SCM](#) / [Security](#) / [Storage](#) / [Web Design](#) / [Wireless](#) / [Baan](#) / [Oracle Database](#) / [PeopleSoft](#) / [SAP](#) / [Siebel](#) / [UNIX](#) / [Visual Basic](#) / [Windows](#)

Also at Toolbox for IT: [Blogs](#) / [Groups](#) / [Wiki](#) / [Events & Webcasts](#) / [Job Center](#) / [Vendor Research Directory](#)

Copyright 1998-2008 Toolbox.com. All rights reserved. All product names are trademarks of their respective companies. Toolbox.com is not a company listed at this site. Toolbox.com is a subsidiary of the [Corporate Executive Board](#).

**MediaPost**NEWS

HOME •

Home > Online Media Daily > Monday, Nov 24, 2008

Wed, Nov 26, 2008

[ADVANCED SEARCH](#)

Coupons Inc. Settles Case Against Hacker

by Wendy Davis, Monday, Nov 24, 2008 7:00 AM ET

[Article ▼](#) [Comments ▼](#)**SELECT AND PRINT COUPONS**

Helps Amazon! Thank you for signing up! [\\$2.00 off](#) [\\$1.00 off](#) [\\$1.00 off](#)

Choose as many coupons as you want and click the "print selected" button.

\$2.00 OFF \$1.00 OFF \$1.00 OFF



Any 2 boxes of Amazon.com
any product

Any 1 box of Amazon.com
any product

Any 1 box of Amazon.com
any product

[Print](#) [Select](#) [Save](#)

SIGN UP AND SAVE \$1.00
On Any Nature's Bounty® Product

Sign up for more information on products
and promotions.



An online coupon distributor has settled a closely watched case against a programmer who told Web users how to get around code designed to limit the number of times that coupons could be printed.

The details of the settlement between the company, Coupons Inc., and the programmer, John Stottlemire, are confidential. But Stottlemire said that the lawsuit

against him will be withdrawn with prejudice (meaning that it can't ever be filed again) as long as he complies with the agreement.

Coupons Inc. did not respond to a request for comment.

The Mountain View, Calif.-based Coupons Inc. provides technology that enables companies to deliver coupons directly to consumers at corporate Web sites, through banner ads and in e-mail messages. Coupons Inc. bundles its programs with software that aims to restrict users' ability to print multiple copies of the vouchers.

The dispute between the company and Stottlemire began last July, after the Fremont, Calif. resident posted instructions for expunging the code that restricted the number of copies that could be printed. He also allegedly offered downloadable software that would remove Coupons' code.

Coupons Inc. then filed suit against Stottlemire in federal district court in San Jose, for allegedly distributing tools that circumvented the company's digital rights management program.

Because the lawsuit was resolved, the court did not decide whether Stottlemire's work-around violated the Digital Millennium Copyright Act. That law prohibits trafficking in technology that circumvents software that restricts access to copyrighted material. But digital rights advocates say that the law does not ban mere discussions about the software.

TOOLS[EMAIL](#)[PRINT](#)[REPLY](#)[SUBSCRIBE](#)[RSS](#)[SHARE ▼](#)**RELATED ARTICLES**

1. WPP Launches Ad Network In China, Latest Push By A Madison Avenue Biggie
 2. KickApps Lands \$14 Million In New Funding
 3. Law Firm Challenges Rules Restricting Online Promotion
 4. Surveys Show Gift-Giving To Be Less Than Electrifying
 5. Facebook, MySpace Aren't Making The Marketing Cut
- TAGS:** [Legal](#), [Online](#)

MOST READ

1. Facebook, MySpace Aren't Making the Marketing Cut
2. Cumulus CEO: Radio In Death Spiral
3. Women's Chains Languishing As Mom Puts Herself Last
4. Facebook, MySpace Aren't Making The Marketing Cut
5. Nielsen: Hispanic TV Homes Trail In Digital Switchover



» Mark Walsh
» Wendy Davis
» Gavin O'Malley
» Tameka Kee
» Laurie Sullivan
» Joe Mandese
» Tanya Irwin
» Karl Greenberg
» Erik Sass
» Karlene Lukovitch

» November 2008
» October 2008
» September 2008
» August 2008
» July 2008
» June 2008
» All Archives

Stottlemire took the position that Coupons Inc. had hidden its restrictive files on users' computers, and that he was just offering instruction on how to delete those files. "Through the use of hiding files and registry keys on a computer, in areas normally reserved for the Windows operating system ... Coupons, Inc. attempts to control access to coupons it offers to the public," he wrote on his blog tenbucks.net in July of 2007. He added that no special software was needed to purge those keys. "The only tool required is the delete button on your keyboard ... and knowledge of where these unprotected files lie."

Coupons Inc. eventually changed its methods to defeat Stottlemire's work-around.

Stottlemire, who is not a lawyer, said he decided to represent himself after learning that lawyers' fees could quickly total in the six figures. "I knew I was right, and I couldn't afford an attorney," he said. "I spent many nights in front of the computer researching case law and writing briefs and rewriting briefs."

Recent Online Media Daily Articles

Facebook, MySpace Aren't Making The Marketing Cut Nov 26, 7:45 AM

While chief marketing officers are intrigued by social networking sites Facebook and MySpace as potential marketing...

Surveys Show Gift-Giving To Be Less Than Electrifying Nov 26, 7:45 AM

Don't count on that 60-inch flat-screen HDTV under the tree this year. A pair of surveys...

Microsoft Broadens Xbox Experiences For Advertisers Nov 26, 7:45 AM

Imagine Nike, Puma or Adidas sponsoring clothes for avatars in the Microsoft Xbox Experience for the...

Law Firm Challenges Rules Restricting Online Promotion Nov 26, 7:45 AM

A law firm in Louisiana is challenging new advertising rules that appear to hinder lawyers' ability...

KickApps Lands \$14 Million In New Funding Nov 26, 7:45 AM

Showing technology's ability to attract venture capital even in a bum economy, white-label widget maker KickApps...

WPP Launches Ad Network In China, Latest Push By A Madison Avenue Biggie Nov 26, 7:45 AM

WPP Group is extending its digital footprint into one of the largest and fastest growing online...

MPAA Targets Fanedit With Takedown Notice Nov 25, 7:46 AM

Hollywood has targeted a remix site, Fanedit.org, where movie buffs made films more to their liking...

Social Networking Services Growing, Advertising Not So Much Nov 25, 7:46 AM

The use of social networking sites will continue to grow, but advertising will not necessarily expand...

U.S. Retail Search Campaigns Spending Surges Nov 25, 7:46 AM


Despite the economy's troubles, U.S. retailers are continuing to direct marketing dollars to search campaigns, according...

AdBrite Launches CPC Auction For Banner Ads Nov 24, 8:42 PM

Marking a significant departure from traditional CPM-based advertising, ad exchange AdBrite has launched a cost-per-click auction...

>> [Online Media Daily Archives](#)



ABOUT MEDIAPOST • MEDIA KIT •  RSS FEEDS • PRIVACY/TERMS & CONDITIONS



©2008 MediaPost Communications. All rights reserved.
1140 Broadway, 4th Floor, New York, NY 10001
tel. 212-204-2000, fax 212-204-2038, feedback@mediapost.com

OPTIMIZED BY
DONE! SEO
Search Engine Optimization

ads p